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DEPARTMENT OF ENERGY
Federal Energy Regulatory Commission

[Docket Nos. CP14-4-000;
CP14-9-000]
Texas Eastern Transmission, LP

Notice of Intent to Prepare an Environmental Assessment for the Proposed Emerald Longwall Mine Panel D1 and Consol Baily East Mine Panel 1L Projects and Request for Comments on Environmental Issues; Texas Eastern Transmission, LP

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Emerald Longwall Mine Panel D1 Project in Docket No. CP14-4-000 and the Consol Baily East Mine Panel 1L Project in Docket No. CP14-9-000 (projects). The projects involve the excavation, abandonment, replacement, temporary elevation, and reburial of pipeline facilities currently operated by Texas Eastern Transmission, LP (Texas Eastern) in Greene County, Pennsylvania to facilitate the underground mining of coal. The Commission will use this EA in its decision-making process to determine whether the projects are in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the projects. Your input will help the Commission staff determine what issues they need to evaluate in the EA. Please note that the **scoping period will close on December 2, 2013**.

You may submit comments in written form. The details on how to submit written comments are in the Public Participation section of this notice.

This notice is being sent to the Commission's current environmental mailing list for this project. State and local government representatives should notify their constituents of these proposed projects and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of a temporary easement to abandon, replace, elevate and monitor the proposed activities. The company would seek to negotiate a mutually acceptable agreement. However, if the Commission approves the project, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings where compensation would be determined in accordance with state law.

Texas Eastern provided landowners with a fact sheet prepared by the FERC entitled “An Interstate Natural Gas Facility On My Land? What Do I Need To Know?” This fact sheet addresses a number of typically-asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is also available for viewing on the FERC website (www.ferc.gov).

Summary of the Proposed Project

Texas Eastern Transmission, LP is seeking authorization from the FERC pursuant to Sections 7(b) and 7(c) of the Natural Gas Act for the projects, which includes work to be performed for the planned longwall coal mining activities of Emerald Coal Resources, LP (Emerald) in Panel D1 of its mine and Consol Pennsylvania Coal Company, LLC (Consol) for its Baily Mine in Panel 1L. Texas Eastern designed the projects to ensure the safe and efficient operation of its existing pipeline facilities at their certificated design capacities during the planned longwall mining activities at both mines which include mining coal below the pipelines and then allowing the mine roof to collapse after removing the mine braces.

Texas Eastern proposes to excavate and elevate sections of Lines 2, 10, 15, and 25 totaling 14,760 feet in length over the Emerald mine and sections of Lines 10, 15, 25, and 30 totaling 19,790 feet over the Consol mine to monitor and mitigate potential strains and stresses on these pipeline sections. Texas Eastern would also replace with like-diameter pipeline the excavated segments of Lines 10, 15, and 25 over both mines, during pipe elevation. The four mainline segments at each mine would remain elevated using sandbags and skids for about 2 years until the longwall mining activities have been completed and the area is allowed time to settle. Additionally, a 2,700 foot segment of previously idled Line 1 would be abandoned by removal to allow additional space for re-installation of Line 25 over the Emerald mine and 5 feet of Line 1 would be abandoned by removal at the Consol mine. During the actual subsidence event, all segments would be monitored with strain gauges, and adjustments to sandbags and skids would be made, as necessary, to minimize pipeline stresses. After mining and allowing for a settlement period, the pipelines would be reburied within Texas Eastern's existing easements.

Also at the Emerald mine, Texas Eastern would install a temporary aboveground 4-inch-diameter pipeline to isolate its existing Line 10-K that connects Lines 10 and 15 to meter and regulator (M&R) station 70020. This temporary pipeline would also be elevated and monitored during mining. After mining the original pipeline would be reconnected between the pipelines and the M&R station. A section of previously abandoned Line 2 would also be removed within the same right-of-way as Line 1.

The general location of the project facilities is shown in appendix 1.¹

¹ The appendices referenced in this notice will not appear in the Federal Register. Copies of appendices were sent to all those receiving this notice in the mail and are

Land Requirements for Construction

The projects would disturb about 19.4 acres of land for the excavation, abandonment, replacement, elevation, and reburial at the Emerald mine and 26.0 acres at the Consol mine, most of which consists of existing previously disturbed easements. The acreages include permanent and temporary construction right-of-way, access roads, and wareyards. Following pipeline reburial and restoration, Texas Eastern would continue to maintain its existing 16.6 acres of easement at the Emerald mine and 18.4 acres at the Consol mine for the continued permanent operation of its pipelines; the remaining acreage would be restored and allowed to revert to former uses.

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us² to discover and address concerns the public may have about proposals. This process is referred to as “scoping.” The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EA. We will consider all filed comments during the preparation of the EA.

In the EA we will discuss impacts that could occur as a result of the excavation, abandonment, replacement, temporary elevation, and reburial of Texas Eastern’s existing pipeline facilities under these general headings:

- geology and soils;
- land use;
- water resources, fisheries, and wetlands;
- cultural resources;
- vegetation and wildlife;
- air quality and noise;
- endangered and threatened species; and
- public safety.

available at www.ferc.gov using the link called “eLibrary” or from the Commission’s Public Reference Room, 888 First Street NE, Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

² “We,” “us,” and “our” refer to the environmental staff of the Commission’s Office of Energy Projects.

We will also evaluate reasonable alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

The EA will present our independent analysis of the issues. The EA will be available in the public record through eLibrary. Depending on the comments received during the scoping process, we may also publish and distribute the EA to the public for an allotted comment period. We will consider all comments on the EA before making our recommendations to the Commission. To ensure we have the opportunity to consider and address your comments, please carefully follow the instructions in the Public Participation section beginning on page 5.

With this notice, we are asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate with us in the preparation of the EA³. Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

Consultations Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, we are using this notice to initiate consultation with the Pennsylvania State Historic Preservation Office (SHPO), and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the project's potential effects on historic properties.⁴ We will define the project-specific Area of Potential Effects (APE) in consultation with the SHPO as the project develops. On natural gas facility projects, the APE at a minimum encompasses all areas subject to ground disturbance (examples include construction right-of-way, contractor/pipe storage yards, compressor stations, and access roads). Our EA for this project will document our findings on the impacts on historic properties and summarize the status of consultations under section 106.

Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts.

³ The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

⁴ The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

The more specific your comments, the more useful they will be. To ensure that your comments are timely and properly recorded, please send your comments so that the Commission receives them in Washington, DC on or before **December 2, 2013**.

For your convenience, there are three methods which you can use to submit your comments to the Commission. In all instances please reference the appropriate project docket number(s) (CP14-4-000 and/or CP14-9-000) with your submission. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502-8258 or efiling@ferc.gov.

- (1) You can file your comments electronically using the [eComment](#) feature on the Commission's website (www.ferc.gov) under the link to [Documents and Filings](#). This is an easy method for interested persons to submit brief, text-only comments on a project;
- (2) You can file your comments electronically using the [eFiling](#) feature on the Commission's website (www.ferc.gov) under the link to [Documents and Filings](#). With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "[eRegister](#)." You must select the type of filing you are making. If you are filing a comment on a particular project, please select "Comment on a Filing"; or
- (3) You can file a paper copy of your comments by mailing them to the following address:

Kimberly D. Bose, Secretary,
Federal Energy Regulatory Commission,
888 First Street NE, Room 1A,
Washington, DC 20426.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project.

If we publish and distribute the EA, copies will be sent to the environmental mailing list for public review and comment. **If you would prefer to receive a paper copy of the document instead of the CD version or would like to remove your name from the mailing list, please return the attached Information Request (appendix 2).**

Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an “intervenor” which is an official party to the Commission’s proceeding. Intervenor play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission’s final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Instructions for becoming an intervenor are in the User’s Guide under the “e-filing” link on the Commission’s website.

Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at **(866) 208-FERC**, or on the FERC website at www.ferc.gov using the “eLibrary” link. Click on the eLibrary link, click on “General Search” and enter the docket number, excluding the last three digits in the Docket Number field (i.e., CP14-4-000 or CP14-9-000). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission now offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to www.ferc.gov/esubscribenow.htm.

Finally, public meetings or site visits will be posted on the Commission’s calendar located at www.ferc.gov/EventCalendar/EventsList.aspx along with other related information.

Dated: October 31, 2013.

Kimberly D. Bose,
Secretary.

am; Publication Date: 11/07/2013]

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